

MASS. EAT. 2. ST 20

GOVERNMENT DOCUMENTS COLLECTION

NOV 6 1987



University of Massachusetts
Depository Copy

State Environmental Programs

DEM DCS DEQE
MEPA EOEA DFA
 MDC DFWELE
 CZM

An updated guide to the Executive Office of Environmental Affairs



The Executive Office of Environmental Affairs
Secretary of Environmental Affairs - James S. Hoyte
Public Affairs - James Simon, 617-727-9800, 05, 06.
Marjorie Molloy

The Massachusetts Coastal Zone Management Office
Director - Richard Delaney, 617-727-9530.

The Massachusetts Environmental Policy Act and Review
Director - Steven Davis, 617-727-5830.

The Division of Conservation Services
Director - Joel Lerner, 617-727-1552.

The Water Resources Commission
Executive Coordinator - Elizabeth Kline, 617-727-9800.

The Hazardous Waste Facility Site Safety Council
Director - Joan Gardner, 617-451-6772.

The Department of Environmental Management
Commissioner - James Gutensohn
Public Affairs - Julia Brody, 617-727-3164.

The Department of Environmental Quality Engineering
Commissioner - S. Russell Sylva
Public Affairs - Alice Kaufman, 617-292-5515.

The Department of Fisheries, Wildlife and Environmental Law Enforcement.
Commissioner - Walter Bickford
Public Affairs - David Holden, 617-727-1614.

The Department of Food and Agriculture
Commissioner - August Schumacher
Public Affairs - Janet Christensen, 617-727-3018.

The Metropolitan District Commission
Commissioner - William Geary
Public Affairs - Stephen Burgay, 617-727-5114.



Digitized by the Internet Archive
in 2012 with funding from
Boston Library Consortium Member Libraries

<http://archive.org/details/stateenvironment00mass>

THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS (EOEA)

The Executive Office of Environmental Affairs is a cabinet-level agency with the principal authority to implement and oversee the state's policies aimed at preserving, protecting, and regulating the natural resources and the environmental integrity of the Commonwealth of Massachusetts.

Article 97 of the Massachusetts Constitution clearly articulates EOEA's mandate: 1) to protect the public from unnecessary environmental risk; 2) to ensure access to natural resources and recreational opportunities; and 3) to conserve, develop and use critical environmental resources in a manner which serves the public interest. These three goals are the basis for action in all areas of the Secretariat.

Within the Executive Office are five operating units which report directly to the Secretary:

- o The Massachusetts Coastal Zone Management Office (MCZM)
- o The Massachusetts Environmental Policy Act and Review (MEPA)
- o The Division of Conservation Services (DCS)
- o The Water Resources Commission (WRC)
- o The Hazardous Waste Facility Site Safety Council (HWFSSC)

There are also five separate departments, each with a commissioner, which are contained by the Executive Office of Environmental Affairs:

- o The Department of Environmental Management (DEM)
- o The Department of Environmental Quality Engineering (DEQE)
- o The Department of Fisheries, Wildlife & Environmental Law Enforcement (DFWELE)
- o The Department of Food and Agriculture (DFA)
- o The Metropolitan District Commission (MDC)

The Executive Office of Environmental Affairs also forms a link between the Massachusetts Water Resources Authority and the state administration as the Secretary is chairman of its 11 member Board of Directors. The Authority is an independent, public authority charged with operating the water supply system and sewerage disposal and collection services for the metropolitan Boston area.



Massachusetts Coastal Zone Management Office (MCZM)

A permanent state office of Coastal Zone Management was created under the Coastal Protection Act of 1983 to develop state policy designed to protect and carefully manage the development of the Massachusetts coastal area. The MCZM office is comprised of a small staff of specialists in biology, geology, law, environmental policy and waterfront development planning who work towards implementing their policy goals in four major areas:

- o Technical Assistance. The MCZM's professional staff assists coastal communities and state and federal agencies in identifying and resolving policy issues and meeting regulatory standards for projects effecting the coastal zone. The MCZM also assists communities with the implementation of past MCZM grants and provides financial assistance for the revitalization of the coastal area through programs such as the Coastal Facilities Improvement Program (CFIP), which reimburses local communities for money spent on developing and renovating harbor and waterfront facilities. Eighteen million dollars was appropriated for the Coastal Facilities Improvement Program under the 1983 Coast Protection Act.
- o Federal Consistency Review. MCZM reviews all federal activities that effect the Massachusetts coastal zone to determine whether they are consistent with the state's coastal policies. This includes the review of plans for oil and gas exploration and development activities on Georges Bank.
- o Natural Areas Protection. To ensure the preservation and future protection of environmentally sensitive areas of the Massachusetts coastline, MCZM designates certain regionally important wetlands and other coastal areas to be Areas of Critical Environmental Concern (ACEC). More stringent regulatory standards and a more thorough review process have been developed to govern certain activities affecting these areas.
- o Waterfront Development. MCZM policy encourages the renovation and expansion of waterfront facilities by helping communities with pier construction, marine park development, and improvements to commercial and recreational fishing facilities. This is accomplished through programs such as the CFIP. MCZM is also involved in implementing the laws that govern the state's tidelands, and decides legal issues of public access to the tidelands areas.

Massachusetts Environmental Policy Act (MEPA)

The Massachusetts Environmental Policy Act (MEPA) unit is responsible for examining and reviewing the environmental impact of private or government development projects within the Commonwealth.

When a development project poses a potential threat to the environment, the proponent of that project is required to file an Environmental Notification Form (ENF) which begins the MEPA process. If, after a 30 day comment and consultation period, the Secretary of Environmental Affairs decides that the project, in its original form, may have environmental ramifications, an Environmental Impact Report (EIR) is

necessary. A scope is then issued which specifies the issues that must be addressed in order to limit or avoid environmental damage.

The proponent of the project then submits a draft EIR, which is reviewed and commented upon, and then a final EIR which responds to the comments on the draft. If the final EIR is found to be adequate, then the project may begin. For especially large and complex projects, the MEPA statute provides that the Secretary may establish a special procedure for review that is specifically tailored to the circumstances of the project.

Division of Conservation Services (DCS)

Established in 1963 as a means of providing a closer liaison between state and local natural resource programs, the Division of Conservation Services functions principally to assist regional conservation districts, municipal park, recreation, and conservation commissions in their efforts to preserve and acquire open space and recreation lands; and to assist them in managing and properly developing those natural resources. The Division provides technical and financial assistance to the 16 conservation districts and through them to municipal park, recreation and conservation commissions as well as to private landowners. The Division also acts as the conduit through which federal Land and Water Conservation Fund financial assistance is made available to other state, county, special district and local agencies for outdoor recreation facility acquisition or development.

The Water Resources Commission (WRC)

In 1983, Chapter 589 was signed into law reorganizing and strengthening the state's Water Resources Commission. This group of state environmental officials and public members was first established in 1956 to meet and consult on water resources issues.

Under Chapter 589 Sections A-F, the Water Resources Commission is responsible for developing, guiding, coordinating, and overseeing the state's water policy and planning activities. Under Chapter 658 Acts of 1983, the WRC was given the responsibility to administer the Interbasin Transfer Act. This law requires a review and approval of significant transfers of water or wastewater from one of the 27 river basins in the Commonwealth to another one.

Other statutes such as the recently enacted Water Management Act (Chapter 592 Acts of 1985) give the WRC the responsibility for adopting policies to guide DEQE.

The Hazardous Waste Facilities Site Safety Council (HWFSSC)

The Hazardous Waste Site Safety Council is another special unit operating under the Environmental Secretariat. This council was established by the Hazardous Waste Facilities Siting Act (M.G.L. 21D) to review proposals for and assist communities in siting hazardous waste storage and treatment facilities.

THE DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING (DEQE)

The Department of Environmental Quality Engineering (DEQE) administers the majority of the Commonwealth's environmental regulatory programs that address such issues as providing clean air and water, planning for and ensuring the safe disposal of solid and hazardous waste, and protecting and planning the development of the state's wetlands and waterways.

The Department of Environmental Quality Engineering also contains the Office of the Right-to-Know, which is responsible for DEQE's component of the Right-to-Know law, an act which gives workers and community residents effective and reasonable access to information on hazardous or toxic substances in their community or place of employment.

The following offices and divisions work together in helping the DEQE to plan and implement its policies and regulatory programs:

The Division of Water Supply

The Division of Water Supply monitors all proposed surface or groundwater sources to ensure the availability of a safe and adequate source of water for the public, protects public water supply facilities from possible pollution and regulates cross-connections between water supply sources to prevent bacterial or dangerous chemical contamination of public water supplies.

In addition to enforcing state and federal drinking water standards, the Division of Water Supply provides guidance to communities for long-term water planning and land use development, and administers a state construction grants program that helps to fund water related projects.

The Division of Air Quality Control

The Division of Air Quality Control protects the quality of air by reducing pollution. The Division performs inspections and takes enforcement actions where necessary at utility power plants, industrial sites, and conventional and hazardous waste incinerators, as well as reviewing plans and specifications for any new facilities that might be a source of pollution. Enforcement actions also result in response to odor and noise complaints.

The Division is also responsible for the implementation of a program that regulates automobile emissions inspection and maintenance. This program is related to the Division's current work (in conjunction with other states' air quality control offices) to develop a national program to reduce acid rain. The Division has developed an air toxics program and provides technical assistance when industrial accidents pose a threat to public health.

The Division of Environmental Analysis

The Division of Environmental Analysis provides analytical and technical support for DEQE's investigatory, compliance, regulatory and monitoring programs. The main support facility for this analysis is the Lawrence Experiment Station which analyzes samples of water, shellfish, unidentified chemicals, and other substances for their composition and the possible presence of contaminatory or toxic materials. The laboratory determines the quality of public drinking water, identifies health hazards posed by chemical releases, detects pollutants in the Commonwealth's rivers, lakes and streams, and tests for shellfish contamination in coastal waters.

Within the Division, the Office of Research and Standards coordinates the department's environmental research activities and develops long-term policies for such concerns as air and water toxics. The Office of Research and Standards has combined with the University of Massachusetts to form an environmental research center that will further DEQE's research capabilities while offering internships and research positions for UMass students.

The Division of Hazardous Waste*

The Division of Hazardous Waste implements and enforces a strict hazardous waste regulatory program toward safe management and treatment of such waste; and oversees an intensive environmental assessment and clean-up program of confirmed and suspected waste sites across the state. Further, the Division pursues long-term goals of source reduction by promoting incentives for industry to produce less waste.

The Division of Solid Waste *

The Division of Solid Waste is charged with securing safe and efficient management of the Commonwealth's solid waste stream, including determining long-term disposal needs, providing technical support to communities on appropriate waste facilities and proper disposal management, ensuring high environmental standards of proposed facilities, encouraging regionalization and pursuing state-of-the-art disposal technologies.

*The Division of Solid and Hazardous Waste was recently (January 1987) divided into these two separate divisions, and the functions of the Bureau of Solid Waste (formerly within DEM) are now incorporated into the Division of Solid Waste.

The Division of Water Pollution Control

The Division of Water Pollution Control is responsible for the improvement of water quality and the prevention of water pollution in the state. The Division serves the Commonwealth by reviewing plans and issuing regulations for waste water treatment facilities and by

administering a construction grants program for waste water treatment plants. The Division also issues permits that regulate pollution discharge, and monitors the quality of water in dredging projects.

The Division of Wetlands and Waterways Regulation

The Division of Wetlands and Waterways Regulation is responsible for protecting the Commonwealth's inland and coastal wetlands, tidelands, floodplains, and certain rivers, streams and ponds. The Division also regulates construction, fishing and following rights and ensures the right to unobstructed navigational passage. The Division operates through a number of programs and laws which serve to protect ground water quality, surface water quality, water supplies, and fisheries and shellfish. There are also a number of projects designed to prevent flooding and storm damage.

The Division is also responsible for administering Chapter 91 of Massachusetts Environmental Law, which regulates the Commonwealth's tidelands. By enforcing this law the Division guarantees public access to the state's tidelands and allows the Division to regulate development and construction and other activities within these environmentally sensitive areas.

THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)

The Department of Environmental Management (DEM) is responsible for preserving and protecting the natural resources of the Commonwealth, and for managing the state's land and waters.

The Department of Environmental Management consists of the following divisions and offices:

The Division of Forests and Parks

The Division of Forests and Parks is made up of six bureaus: Forest Development, Recreation, Shade Tree Management and Pest Control, Fire Control, Urban Service and Interpretive Services. The Division has four major objectives; to promote the conservation and protection of the Commonwealth's natural resources; to maintain and initiate programs to meet statutory responsibilities for conserving the Commonwealth's natural resources; to provide Massachusetts' citizens with a sustained flow of social, environmental and economic benefits through effective management of the Commonwealth's public and private forestlands; and to increase economic revitalization and recreation opportunities through the 8 Heritage State parks and 165 regional recreation facilities.

The Division of Planning and Development

The Division of Planning and Development is responsible for land acquisition and development of new and existing forest and park facilities as well as a number of programs affecting locally owned lands, such as the Scenic Rivers Program, restoration of the Olmsted Park Program in Massachusetts, the City and Town Commons Restoration Program, and development of the new Heritage State Park system and the Scenic Rivers program.

The Division of Waterways

The Division of Waterways' major responsibilities are to improve, develop, maintain and protect the Commonwealth's rivers and streams harbors, tidewaters, foreshores and shores along the state's public beaches, including the Merrimac and Connecticut Rivers. Specific projects administered by the Division include waterways, dams, state piers, public access areas, and the recreational facilities construction program. Although the programs are state-funded, the costs for some of the programs are shared by local communities.

The Division of Water Resources

The Division of Water Resources has three basic duties: to collect, refine and update basic water resources data for distribution to state, federal and local agencies and to the public; to plan, implement and maintain projects that prevent loss of life and damage to property from erosion and flooding; and to develop a statewide comprehensive water resources management plan for Massachusetts, derived from local, regional

and state assessments of water needs and resources in conformance with the Massachusetts Water Supply Policy Statement, which outlines an effective managerial strategy to make sure that the state's water resources are used prudently and effectively.

The Office of Safe Waste Management

The Office of Safe Waste Management is responsible for planning and administering safe and efficient management of hazardous waste in the state. The Office surveys needs, establishes program goals, initiates projects, informs the public, and provides technical support to Massachusetts communities and industries

THE DEPARTMENT OF FOOD AND AGRICULTURE (DFA)

The Department of Food and Agriculture's goal is to maintain and strengthen the Commonwealth's agricultural economy. It is responsible for monitoring the quality of agricultural products, the inspection of poultry and livestock for diseases, and the regulation of agriculture industries to reduce and prevent diseases in plants and animals. The Department also administers programs which provide prizes for the production of poultry, livestock, and standardbred and thoroughbred horses.

In an effort to improve the State's agriculture, the Department has developed a comprehensive food policy for the Commonwealth which promotes the marketing of Massachusetts - grown agricultural products, emphasizes the preservation of prime agricultural land for farming, and recommends a strategy for reducing the transportation costs of food products.

The Department of Food and Agriculture consists of the following divisions:

The Division of Regulatory Services

The Division of Regulatory Services is responsible for the regulation of the agricultural industry and certain related industries which supply goods and services to agriculture. The Division serves by protecting agriculture through quarantines and regulation of the quality of seed, feed and fertilizer. It also protects the consumer by regulating the quality of some farm products and pesticides. The Division of Regulatory Services consists of the Bureau of Dairying, the Pesticide Bureau, the Bureau of Plant Pest Control, the Bureau of Farm Products, and the Bureau of Milk Marketing.

The Division of Animal Health

The Division of Animal Health serves the agricultural industry while protecting the consumer by implementing and maintaining standards for the good health and proper handling of animals that are part of Massachusetts' agriculture. The Division tests and innoculates cattle, vaccinates calves, licenses pet shops, cattle and swine dealers, regulates the feeding of swine, and licenses horse instructors and horse stables. It also tests for and controls various animal diseases. In addition, the Division licenses guard dogs.

The Poultry Section of the Division inspects poultry grading, administers laws and regulations on egg and turkey grading, controls poultry diseases, and judges poultry and eggs at exhibits.

The Division of Fairs

The Division of Fairs allots prize monies for the promotion of agriculture through competitive exhibits at fairs held within the Commonwealth. It supervises exhibits in state exposition buildings and sponsors certain 4-H, Future Farmers of America and Youth projects

involving agriculture. In addition, the Division inspects fairs, publishes an agricultural fairs calendar, and conducts workshops and seminars.

The Division of Agricultural Development

The Division of Agricultural Development promotes the Commonwealth's agricultural industry while planning for the future of the industry through effective management of the state's resources. The Division is made up of two bureaus:

- o The Bureau of Markets. The Bureau of Markets disseminates market news reports to agricultural businesses and provides food and nutrition information to consumers through various media, furnishes development assistance to the milk industry and to direct-marketing groups, and provides export marketing services for agricultural commodities. The bureau also coordinates promotions for the state's agricultural products, which is an important goal of the Department of Food and Agriculture.
- o The Bureau of Land Use. The Bureau of Land Use plans and organizes community garden and commercial farm programs, maintains an inventory of agricultural land, and develops programs to preserve and improve land for agricultural use. Among these programs is the Agricultural Preservation Restriction Program (APR), which allows the state to purchase and maintain certain parcels of farmland to protect them from development.

The Division of Equine Programs

The Division of Equine Programs promotes the breeding of thoroughbred and standardbred horses through the Massachusetts Thoroughbred Breeding Program and the Standardbred Breeding Program. These two programs help promote, develop and encourage the breeding of thoroughbred and standardbred horses in the Commonwealth and keep thousands of acres of open space in active agricultural use. Finally, in a responsibility unrelated to horses, the Division now administers the greyhound dog breeding program.

THE DEPARTMENT OF FISHERIES, WILDLIFE & ENVIRONMENTAL LAW ENFORCEMENT
(DFWELE)

The Department of Fisheries, Wildlife and Environmental Law Enforcement (DFWELE) is responsible for the management and conservation of the Commonwealth's fresh and saltwater commercial and recreational fisheries, its wildlife including rare and endangered plant and animal species, and for the enforcement of the state's environmental laws and regulations that affect these natural resources. The agency engages in research, data gathering and analysis of the state's living resources and the environmental factors that influence them. The agency also has jurisdiction over registration and safe operation of privately-owned motorboats and off-the-road vehicles. DFWELE also operates 140 public access sites across the state.

The DFWELE is comprised of the following divisions:

The Division of Fisheries and Wildlife (DFW)

The Division of Fisheries and Wildlife is concerned with all facets of the wildlife resources of the state, amounting to over 500 species. The DFW maintains five regional headquarters, with a large field unit and laboratory in Westboro, and also has 16 installations which control over 44,000 acres of land that make up more than 90 wildlife management acres and 13 sanctuaries. A state-wide endangered species and wildlands inventory and protection program is maintained through the Division's Natural Heritage and endangered species section, which is based in Boston. The DFW is supervised by a 7-member board which exercises regulatory powers over the wildlife resources of the Commonwealth, and also has a 7-member nongame advisory committee which advises the board on over 450 species of wildlife.

The Division of Law Enforcement

The Division of Law Enforcement is the principal field enforcement arm of the Commonwealth for the state's environmental, boating, and recreational vehicle regulations. The environmental police officers (EPO's) of the Division enforce all fish and wildlife laws, commercial fishing regulations, boating and recreational vehicles safety and registration laws, and patrol state parks and forests. In addition, the Division is a principal investigator of violations of hazardous waste dumping regulations. The division also assists in rescue operations and conducts hunting, boating, trail bike and all-terrain vehicle safety education programs.

The Division of Marine Fisheries

The Division of Marine Fisheries is responsible for protecting and enhancing the Commonwealth's living marine resources. It is charged with promoting and developing Massachusetts' commercial and recreational fisheries and with implementing management strategies developed in concert with the Marine Fisheries Advisory Commission. The Division administers a

number of programs designed to maintain the integrity of the state's commercial and recreational fisheries and to ensure the future availability of Massachusetts valuable marine resources.

Public Access Board

The Public Access Board acquires, develops, maintains and improves public access water and land areas such as boat launching ramps, access roads, trails and shelters used for recreational purposes by the citizens of the Commonwealth.

THE METROPOLITAN DISTRICT COMMISSION (MDC)

The Metropolitan District Commission (MDC) provides parks and recreational services to residents of 37 communities, maintains its own police force, and owns and operates a vast system of reservoirs and watersheds, including the Quabbin Reservoir in western Massachusetts.

The MDC functions through six major divisions:

The Division of Recreational Facilities and Programs

The Division of Recreational Facilities and Programs is responsible for daily operation and maintenance of all recreational facilities including skating rinks, swimming pools, beaches, golf courses, ski areas and numerous playgrounds, parks and picnic areas where seasonal sports are offered. Special events, concerts at the Hatch Shell and neighborhood activities and festivals are also the responsibility of the DRFP.

The Division of Reservations and Interpretive Services

The Division of Reservations and Interpretive Services develops and operates a comprehensive reservation management program based on the designs of Charles Eliot, who viewed the natural topography of the Charles, Neponset and Mystic Rivers as the focal point of a regional parks system. The responsibilities of the DRIS include the operation and maintenance of all reservations, the management of historic properties and the establishment of interpretive programs at areas like the Blue Hills and the Harbor Islands.

The Division of Parks Engineering & Construction

The Division of Parks Engineering and Construction is responsible for maintaining a network of roads and bridges that are under MDC jurisdiction, as well as an elaborate flood control system, including the Charles River and Amelia Earhart dams. Project planning, development of new parks and maintenance of traffic lights and other electronic systems are also the responsibility of the DPEC.

The Metropolitan Police

The Metropolitan Police were created in 1893 to patrol and enforce laws on all metropolitan parkways and highways, and at more than 300 recreational and historical sites. The Metropolitan Police force contains a bomb squad, a drug unit, a specially trained K-9 unit, a motorcycle patrol, a marine unit, and an environmental enforcement unit.

The Division of Watershed Management

The newly formed Division of Watershed Management was created in 1984 as a co-equal branch of the Metropolitan District Commission with a

mandate to perform all operational, planning and regulatory work associated with the MDC reservoirs and watersheds. The DWM is responsible for the quality and quantity of drinking water consumed by more than two million people and will play a decision-making role in developing future supplies.

The Division of Community Affairs

In addition to these divisions, the MDC has also added a Community Affairs Division, which was created to provide citizens, community groups, and municipal and other officials with access to the agency and to make the agency responsive to the needs of these users.

THE MASSACHUSETTS WATER RESOURCES AUTHORITY (MWRA)

The Massachusetts Water Resources Authority (MWRA) was established by the Massachusetts Legislature under Chapter 372 of the Acts of 1984. An independent public authority, the MWRA assumed control of the Waterworks portion of the Water Division (the remainder of the Watershed Division remains at the MDC). and Sewerage Divisions of the Metropolitan District Commission (MDC) on July 1, 1985.

The MWRA is charged with providing efficient and economical water supply and sewerage disposal services to 2 1/2 million people in sixty communities in the Boston metropolitan area. Primary objectives of the Authority include the clean-up of Boston Harbor through the construction of a new secondary wastewater treatment facility and improvements to the current system, protection of pure water supplies and promotion of water conservation.

The Authority is financed by user charges made to communities served, state and federal construction grants, and the sale of revenue bonds. It is governed by an eleven-member Board of Directors chaired by the Secretary of Environmental Affairs, two members appointed by the Governor from the Merrimack River Watershed area and the Connecticut River Watershed area, one member representing the City of Quincy, one member representing the Town of Winthrop, three members representing the City of Boston and three members appointed by the MWRA Advisory Board. The Advisory Board consists of representatives of the cities and towns served by the Authority, the Metropolitan Area Planning Council, and the Governor.

